

House Bill 835

By: Representative Marin of the 96th

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 16-11-129 of the Official Code of Georgia Annotated, relating to license to carry a pistol or revolver and temporary renewal permit, so as to provide for training for certain persons licensed to carry a pistol or revolver; to provide for exceptions; to provide that licenses shall include a photograph and the current address of the holder; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 16-11-129 of the Official Code of Georgia Annotated, relating to license to carry a pistol or revolver and temporary renewal permit, is amended by revising subsection (a) as follows:

"(a)(1) Application for license or renewal license; term. The judge of the probate court of each county may, on application under oath and on payment of a fee of \$15.00, issue a license or renewal license valid for a period of five years to any person whose domicile is in that county or who is on active duty with the United States armed forces and who is not a domiciliary of this state but who either resides in that county or on a military reservation located in whole or in part in that county at the time of such application, which license or renewal license shall authorize that person to carry any pistol or revolver in any county of this state notwithstanding any change in that person's county of residence or state of domicile. Applicants shall submit the application for a license or renewal license to the judge of the probate court on forms prescribed and furnished free of charge to persons wishing to apply for the license or renewal license. An applicant who is not a United States citizen shall provide sufficient personal identifying data, including without limitation his or her place of birth and United States issued alien or admission number, as the Georgia Bureau of Investigation may prescribe by rule or regulation. An applicant who is in nonimmigrant status shall provide proof of his or her

qualifications for an exception to the federal firearm prohibition pursuant to 18 U.S.C. Section 922(y). Forms shall be designed to elicit information from the applicant pertinent to his or her eligibility under this Code section, including citizenship, but shall not require data which is nonpertinent or irrelevant such as serial numbers or other identification capable of being used as a de facto registration of firearms owned by the applicant. The Department of Public Safety shall furnish application forms and license forms required by this Code section. The forms shall be furnished to each judge of each probate court within the state at no cost.

(2) Any applicant born on or after July 1, 1991, shall demonstrate completion of a firearms safety training course within three years of the date of the application for a license under this Code section. An applicant may satisfy such training requirement by:

(A) Submitting proof that he or she is a peace officer, as such term is defined in Code Section 35-8-2;

(B) Submitting proof that he or she is serving on active duty with the United States armed forces;

(C) Submitting proof that he or she is serving in the active reserve component of the United States armed forces or Georgia National Guard;

(D) Submitting proof that he or she is a firearms safety instructor certified by the National Rifle Association holding a rating as a personal protection instructor or pistol marksmanship instructor; or

(E) Submitting proof of having received basic firearms instruction provided by a law enforcement officer, a nationally recognized organization that promotes gun safety, or a licensed firearms dealer. Such instruction shall include instruction on the features of a handgun and a brief explanation of loading, firing, and unloading of the weapon; provided, however, that live firing shall not be required. Proof of such training shall be a notarized affidavit signed by the person providing the instruction with his or her address and position and an identifying number, such as a badge number or firearm dealer license number or a certificate of training issued by a national organization that promotes gun safety."

SECTION 2.

Said Code Section is further amended by revising (f) as follows:

"(f) License specifications. Licenses issued as prescribed in this Code section shall be printed on durable but lightweight card stock, and the completed card shall be laminated in plastic to improve its wearing qualities and to inhibit alterations. Measurements shall be 3 1/4 inches long, and 2 1/4 inches wide. Each shall be serially numbered within the county of issuance and shall bear the full name, residential address, birth date, weight,

height, color of eyes, sex, and a recent photograph ~~clear print of the right index finger~~ of the licensee. If the right index fingerprint cannot be secured for any reason, the print of another finger may be used but such print shall be marked to identify the finger from which the print is taken. If the licensee changes his or her address, he or she must apply for a new license in the same manner as provided for a lost license. The license shall show the date of issuance, the expiration date, and the probate court in which issued and shall be signed by the licensee and bear the signature or facsimile thereof of the judge. The seal of the court shall be placed on the face before the license is laminated. The reverse side of the license shall have imprinted thereon in its entirety Code Section 16-11-127."

SECTION 3.

This Act shall become effective on January 1, 2010.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.